

January 1, 2017

VIA E-MAIL & ECFS

William T. Lake  
Chief, Media Bureau  
Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554

Re: Status of Retransmission Consent Disputes – Frontier Communications and Sinclair Broadcast Group, Inc.; *Implementation of Section 103 of the STELA Reauthorization Act of 2014; Totality of the Circumstances Test*, MB Docket No. 15-216.

Dear Mr. Lake:

On behalf of Frontier Communications (“Frontier”), I am writing to alert you that last night our MVPD systems in six markets were required to discontinue carriage of the stations listed below when Sinclair Broadcast Group, Inc. (Sinclair) refused to extend its retransmission consent for those stations after negotiations failed to produce an agreement by the contractual deadline. This is not our desired result – indeed, this action by Sinclair is denying important local and network programming to Frontier subscribers in these markets.

Frontier has been working proactively to try to avoid this impasse in negotiations. We are disappointed that we have not been able to come to an agreement, but Frontier cannot accept the unreasonable terms Sinclair is demanding. The larger problem from Frontier’s perspective is the leverage that the current retransmission consent process rules – which are based on an outdated understanding of how customers consume media – provide to broadcasters. The majority of consumers no longer watch content via over-the-air spectrum and are increasingly embracing non-linear approaches to how they view content. Yet despite these changes, the rules distort the marketplace by presuming that MVPDs have market power when they actually face a greater risk of losing customers in the face of a blackout – thereby enabling broadcasters to extract exorbitant rents and in particular to punish smaller carriers. Frequently, broadcasters with control of programming demand that smaller operators pay an exceptionally higher per-customer fee than other larger operators in the same market, inhibiting new competition in the marketplace.

In the meantime, Frontier remains committed to putting our customers first and will work with Sinclair toward achieving a prompt and reasonable resolution. We have warned our customers via set top box notifications, email, and channel alerts in advance of this impasse, and we are maintaining a website, <https://frontier.com/helpcenter/articles/channelupdates>, to ensure that

our customers are updated on the status of our efforts to restore the affected stations.

Frontier has worked diligently and negotiated with Sinclair in good faith to arrive at a retransmission consent agreement that is acceptable to both sides and results in no negative impact to our customers. Frontier hopes that the current negotiation will be resolved shortly, and that Sinclair will restore service to viewers in the affected markets. We will keep you informed as this matter develops. Until then, feel free to contact me (203-614-5050) if you have any questions.

Sincerely,

\_\_\_\_/s/\_\_\_\_

Mark D. Nielsen

Executive Vice President and General Counsel

Frontier Communications

cc: Commissioner Clyburn  
Commissioner Rosenworcel  
Commissioner Pai  
Commissioner O’Rielly

**Affected Stations**

<b>Station/Affiliate</b>	<b>Market</b>
WUCW: CW	Minneapolis, MN
WUCW: GetTV	Minneapolis, MN
WUCW: Grit	Minneapolis, MN
WUCW: Comet	Minneapolis, MN
WRDC: MyNetworkTV	Raleigh Durham, NC
WRDC: Grit	Raleigh Durham, NC
KATU: ABC	Portland, OR
KATU: MeTV	Portland, OR
KATU: Comet	Portland, OR
WPDE: ABC	Myrtle Beach, SC
WPDE: Local Weather	Myrtle Beach, SC
WPDE: Comet	Myrtle Beach, SC
WWMB: CW	Myrtle Beach, SC
WWMB: CW Plus	Myrtle Beach, SC
WWMB: American Sports Network	Myrtle Beach, SC
WCIV: ABC	Charleston, SC
WCIV: My NetworkTV	Charleston, SC
WCIV: Me TV	Charleston, SC
KOMO: ABC	Seattle, WA
KOMO: Comet	Seattle, WA
KOMO: Grit	Seattle, WA